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[Main Menu](#) [Help Screen](#)

Transportation Industry Analysis Series

GS-2110

CONTENTS

SERIES DEFINITION	1
EXCLUSIONS	1
OCCUPATIONAL INFORMATION	2
TITLES	3
EVALUATION CRITERIA	4
QUALIFICATIONS REQUIRED	4
NOTES TO USERS	5
TRANSPORTATION INDUSTRY ANALYST, GS-1135-05	6
TRANSPORTATION INDUSTRY ANALYST, GS-1135-07	7
TRANSPORTATION INDUSTRY ANALYST, GS-1135-09	9
TRANSPORTATION INDUSTRY ANALYST, GS-1135-11	11
TRANSPORTATION INDUSTRY ANALYST, GS-1135-12	14

SERIES DEFINITION

This occupation includes positions that involve analytical, evaluative, advisory, or similar work pertaining to regulation of the transportation industry with regard to operations, economics, equity in industry practices, and protection of the public interest. The work requires a knowledge of transportation industry regulatory controls, of the customs and competitive practices of carriers, and of carrier operations, services, and facilities. It also requires a general knowledge of economics, statistics, law, business management and related subject-matter areas, but does not require full training and professional competence in any of those fields.

This series was formerly coded as GS-1135. That series is now abolished.

EXCLUSIONS

The following kinds of work are specifically excluded from this occupation:

- (1) Work that requires legal training or other qualifications characteristic of positions in the [Legal and Kindred Group, GS-0900](#). (See the Hearing Examiner Series, GS-0935; Adjudicating Series, GS-0960; and other occupations in the Legal and Kindred Group, GS-0900.)
- (2) Work that involves conducting studies and interpreting data concerning basic economic forces or phenomena in relation to the transportation industry, and that requires a knowledge of the theories and principles of economics. (See the [Economist Series, GS-110](#).)
- (3) Work that involves examining and interpreting tariffs, rates, schedules, and related publications, or applying these in reviewing transportation bills. (See the Transportation Rate and Tariff Examining Series, GS-2111; [Freight Rate Series, GS-2131](#); and [Passenger Rate Series, GS-2133](#).)
- (4) Work that is essentially clerical in nature involving such tasks as recording, processing, or filing applications, agreements, and related documents, and that does not require the knowledges described for this occupation. (See the [Legal Instruments Examining Series, GS-0963](#); or other appropriate series.)
- (5) Work that involves providing transportation services to the Government or planning or operating Government transportation or traffic programs. (See [Traffic Management Series, GS-2130](#); [Transportation Operations Series, GS-2150](#); or other appropriate series.)
- (6) Work that involves investigating alleged civil or criminal violations of laws, rules, regulations, or orders governing the operations of carriers or shippers, when the primary requirement is for investigative knowledges, skills and abilities. (See the [General Investigation Series, GS-1810](#); [Criminal Investigating Series, GS-1811](#); or other related series.)

OCCUPATIONAL INFORMATION

The Federal Government has regulatory responsibilities in regard to the transportation industry-areas of (a) civil aviation, both domestic and international; (b) ocean shipping, both domestic offshore and international; and (c) interstate rail, pipeline, motor, and inland water carriers and freight forwarders. Regulation of the transportation industry has two primary objectives: to preserve the economic health of the industry, and to protect the public against unfair and unlawful practices.

Following are the principal areas of regulation:

- (a) authority of carriers to operate, and to extend, modify, or cancel routes;
- (b) mergers or transfer of control of carriers;
- (c) exemptions of carriers from regulatory requirements;
- (d) agreements and related working arrangements between carriers;
- (e) establishment, revision, and cancellation of carrier rates, fares, charges, and tariffs;
- (f) carriers' accounting systems, operations, and financial reporting procedures;
- (g) enforcement of regulations and laws governing operations of carriers;
- (h) financial assistance to carriers to support or improve transportation services.
- (i) negotiations and interpretations of transport agreements with foreign governments for the purpose of regulating international travel.

Exemptions from regulatory requirements may be granted to carriers under certain conditions. Requests for exemptions from major requirements of law usually are approved only in cases involving the national interest, or the economic survival of an important sector of the general transportation industry.

Other carriers, the general public, shippers, affected communities, and the like, may protest requests from carriers concerning their operating authorities, exemptions, rates, and other proposals. They may seek a formal hearing before action by the regulatory body, or may seek court settlement rather than action through the regulatory agency's administrative procedure.

Functions of Transportation Industry Analysts

Transportation industry analysts are concerned with all of the aspects of regulatory control described above within their particular industry-areas (e.g., civil aviation), and are normally responsible for functions such as the following:

- (1) analyzing and making recommendations on carrier proposals for
 - (a) certificates, licenses, permits, or authorities to operate in specified geographic areas or to provide specified transportation services, and
 - (b) exemptions from regulatory controls or requests for special authorities (e.g., emergency operating conditions).
- (2) evaluating carrier's operating revenues and expenses and overall financial position to determine whether a need exists for financial support, and recommending action to grant, reduce, or discontinue subsidies;
- (3) analyzing and making recommendations on contracts, agreements, and other arrangements between or among carriers, covering a variety of operating conditions within the area of economic regulation;
- (4) studying traffic trends and potentials;
- (5) developing analytical and exhibit materials for use in administrative proceedings and in court cases;
- (6) cooperating with attorneys, auditors, economists, investigators and other staff members in evaluating proposals or issues;
- (7) conducting factfinding studies of industry practices and operations to determine and report on possible violations of statutes, regulatory orders, rules and regulations;
- (8) developing testimony and appearing as witnesses before regulatory bodies and courts;
- (9) drafting recommendations on, interpreting, and negotiating transport agreements with foreign countries.

TITLES

The titles for positions in this occupation are --

- *Transportation Industry Analyst* for nonsupervisory positions;
- *Supervisory Transportation Industry Analyst* for [supervisory positions](#);
- *Transportation Industry Analysis Officer* for positions which are essentially those of program managers rather than supervisors.

EVALUATION CRITERIA

The principal criteria used in evaluating positions in this occupation are *Nature of Assignments* and *Level of Responsibility*.

(1) Nature of assignments

This includes consideration of the nature and variety of work, the guidelines available, and the mental demands of the work. These elements are measured by: (a) the scope, complexity, and potential impact of industry-area proposals analyzed; (b) the existence of technical transportation problems inherent in the proposals analyzed; (c) the nature and magnitude of protests, complaints, or objections from other sources; (d) the need for formal hearings; and (e) the nature and complexity of the legal and policy issues to be considered.

Assignments range from those (()) which are limited in scope and complexity, with few technical problems, protests, hearings, or legal or policy issues to be considered, to assignments which involve complex and controversial questions, few precedents, many formal hearings, and serious legal and policy issues of great scope and impact.

(2) Level of responsibility

This includes consideration of person-to-person work relationships, authority to make recommendations, and nature of supervisory control over the position. These elements are measured by: (a) the degree of independence of action which the analyst has for evaluating the merits of industry-area proposals, (b) the extent of the analyst's responsibility for recommending action on the proposals, and (c) the extent of the analyst's authority to represent the agency in formal and informal proceedings, in industry-area contacts, and in court cases. The level of responsibility ranges from that associated with training positions where there is close supervision and limited authority and responsibility for recommendations, industry-area contacts, and agency representation, to the level of responsibility involved in carrying out assignments with relatively complete freedom of action to make recommendations, to deal with others on significant issues, and to represent the agency.

QUALIFICATIONS REQUIRED

The kinds and levels of knowledges, skills, and abilities required for this work are not treated separately in the grade-level descriptions. They are reflected in the discussion of the classification criteria identified as "Nature of Assignments" and "Level of Responsibility."

Positions in this occupation require:

- knowledge of the Federal and State laws, regulations, rules, procedures, and practices pertaining to economic regulation of the transportation industry in general, and of the particular transportation industry-area;
- understanding of the operating practices, financial position, structure, and management organization of carrier firms;
- familiarity with the trade customs and competitive relationships of carriers in the particular mode of transportation;

- knowledge of the basic technical requirements entering into the development of transportation agreements with foreign governments, and ability to negotiate the transportation provisions of such agreements;
- knowledge of freight and passenger markets and services, and of traffic trends and the factors that influence them;
- knowledge of the characteristics and use of equipment, services, property, and facilities employed in the movement of freight and passengers by the particular mode of transportation;
- ability to select, analyze, interpret and apply to current assignments data relating to transportation industry-area economics;
- ability to appraise the rate and route structures and service patterns of transportation systems;
- ability to make clear, logical, and concise presentations, both orally and in writing;
- ability to use sound judgment in analyzing facts, conditions, and problems, and in recommending actions for agency consideration;
- skill in planning, organizing, and conducting factfinding studies of the business and economic practices and operating records of carriers;
- ability to establish and maintain effective relations with representatives of carriers and of other industry-area and commercial enterprises, and with other persons or organizations whose activities are subject to or affected by Federal regulatory controls.

Some positions in this occupation may require specialized knowledges, for example, those associated with a particular mode of transportation (e.g., air, motor carrier, water) or with a particular kind of traffic (e.g., freight, passenger).

NOTES TO USERS

1. This standard describes nonsupervisory positions in the occupation. Supervisory positions and managerial positions in this occupation are to be evaluated by reference to the [Supervisory Grade-Evaluation Guide](#), Part II.
2. This standard provides grade-level criteria for nonsupervisory positions in grades GS-5 through GS-12. Nonsupervisory positions above grade GS-12 are likely to be so highly individualized that the establishment of specific criteria to evaluate them is not practicable. The absence of specific criteria for nonsupervisory positions above grade GS-12 should not be interpreted as precluding classification of positions at those levels, when they have responsibilities exceeding those described at the GS-12 level. Such positions are to be evaluated by comparison with the grade-level criteria in this standard and by application of judicious consideration of the relative strengths and weaknesses of the positions.
3. Each grade-level description in this standard, GS-7 through GS-12, is illustrated by brief examples of work assignments typically found at that level. These examples are not all-inclusive of the kinds of assignments that may be found at a particular grade level, nor should the illustrative examples be interpreted apart from the criteria described under "Nature of Assignments" and "Level of Responsibility." Each must be applied in light of the conditions and controls described under the two grade-distinguishing factors. The presence of an example of a

particular type of work (e.g., reviewing carrier agreements) at a given grade level should not be interpreted as defining the grade level or as setting a ceiling on analyst work in that field or function. Similarly, the absence of an example at a particular grade level does not in any way prevent classification of jobs in a particular field at that level.

4. Positions of "cost analysts" which involve the development, analysis, evaluation, and interpretation of costs and cost formulas, and positions which involve investigation of operating conditions in the transportation industry are classified in this occupation when they require primarily the kinds of knowledges described for this occupation. This standard does not contain specific grade-level criteria for these positions. However, such positions may be evaluated by reference to the criteria for positions described in this standard and in standards for other related occupations; for example, [Financial Analysis Series, GS-1160](#); [Accounting Series, GS-0510](#); [General Investigating Series, GS-1810](#); [Criminal Investigating Series, GS-1811](#); or other related standards. The official titles for such positions are the same as those listed below for positions described in this standard.

5. Positions in this occupation typically involve responsibility for making recommendations for action to be taken by others (for example, by members of a board or commission) rather than personally taking action or making decisions themselves. Authority to take action or make decisions, when such responsibility is present in a position, may or may not justify classifying such a position in a grade level higher than that otherwise appropriate for positions described in the standard. In evaluating such a position appropriate consideration should be given to the value represented by this responsibility, for example, whether such responsibility is in addition to, or equivalent to, the value of other responsibilities present in positions described in the standard, or counterbalances the absence in the position of some other responsibility described in the standard.

6. Positions which combine work in this occupation with work in other occupations (for example, the Transportation Rate and Tariff Examining occupation) should be evaluated in accordance with the general principles for classifying mixed positions.

TRANSPORTATION INDUSTRY ANALYST, GS-1135-05

Nature of assignments

This is a training level. Training may be done on a formal classroom basis or on the job. The objective is to provide the trainee with a basic body of knowledge about the regulatory functions and jurisdiction of the agency.

The trainee may be assigned on a rotating basis among typical program organization units, or he may be assigned to a specific unit. In either case, his training provides an introduction to the range of regulatory matters appropriate to the programs involved and to some of the major problems and issues which confront the organization. The selection of tasks also takes into consideration the opportunity which they offer to observe the trainee's potential for development, and involves productive work assignments of limited scope.

Level of responsibility

Trainees work under close and continuing supervision. The supervisor outlines the regulatory background of the assignments, indicates the sources of information to consult, and explains the purpose and product of the assignment. The supervisor checks on progress of the assignment as each step is finished. He reviews the trainee's work for adherence to instructions, thoroughness, understanding of the subject matter, and demonstrated progress in learning the work.

TRANSPORTATION INDUSTRY ANALYST, GS-1135-07*Nature of assignments*

This is typically a developmental level with positions involving assignments of progressive difficulty and responsibility and diminishing closeness of supervisory control. Through carefully selected work assignments, the employee gains and applies knowledges of the technical regulatory functions, rules, orders and regulations of the agency.

Developmental assignments at the GS-7 level are purposely varied both in subject matter and in relative level of difficulty. In overall scope and complexity they often approach the kinds of assignments associated with the GS-9 level. This is in contrast with the GS-5 level where assignments are also selected for training purposes but are designed primarily to provide fundamental information on agency jurisdiction and basic programs.

Typical of assignments, under the conditions and controls as described for this level, are the following:

(1) Review of proposed agreements between water carrier firms with relatively low volume of traffic, in a limited trade area, covering such activities as "joint-service" agreements, i.e., agreements which establish new and separate lines or services to be operated by the parties as joint ventures.

On this type of assignment the GS-7 analyst determines the basic reason for the agreement, and whether it conforms to clearly applicable legal and regulatory provisions. He analyzes provisions of the agreement to determine the probable effect on nonmember carriers and on the public interest. He appraises the effect the agreement may have on commerce in the small geographic area involved, and makes an initial recommendation for action on the agreement.

(2) Review of a carrier's request to extend a route in a limited geographic area of the United States, but crossing one State line. On this type of assignment, the GS-7 analyst determines whether other carriers now service the area, and analyzes the carrier's justification. He evaluates comments from other interested carriers, the general public, and the shippers served. He makes the initial recommendation for appropriate action by the regulatory body and drafts an order to be considered by agency officials.

This level also includes positions involving continuing responsibility for analytical assignments of limited scope and complexity, where employees are not particularly undergoing a planned developmental program. Employees are typically assigned specific kinds of carrier proposals which can be evaluated on the basis of directly applicable precedents and standardized work processes.

Level of responsibility

The analyst in a developmental situation at grade GS-7 works under fairly close supervisory control initially, with rather explicit instructions on the kind of problem or proposal involved, the regulatory issues to be considered, the sources of information to be checked, the kind of data needed, and the methods to be followed in completing the assignment.

By comparison with the GS-5 trainee analyst, the GS-7 analyst in this type of situation:

- is responsible for making independent analyses under conditions involving directly applicable precedents and standardized work processes, whereas the GS-5 analyst works on assignments which are designed specifically for training purposes and require the ability to learn and apply the techniques and processes of analysis and evaluation;

- has responsibility for relating pertinent regulations to the proposals examined, whereas the GS-5 analyst is learning the intent and coverage of the regulations, and to understand how to apply them; and

- is expected to carry out his assignments, without close step-by-step supervision, whereas the GS-5 analyst is under close supervision at the time the assignment is made, and at the conclusion of each step.

As the GS-7 analyst in a developmental situation continues to demonstrate ability to carry out more difficult assignments, supervisory control is adjusted to the requirements of the particular assignments. With assignments involving the regulatory issues not encountered in previous assignments, the supervisor gives specific instructions. With subsequent assignments the supervisor indicates generally what is required in accordance with previously indicated procedures.

The completed work of the GS-7 analyst in a developmental situation is reviewed for resourcefulness, initiative, reasoning, writing skill, and potential for undertaking more complex assignments.

Analysts at the GS-7 level who have continuing responsibility for carrying out assignments characteristic of this level have responsibility for independent judgments and analyses over the full range of their work. When compared with trainees at the GS-5 level, the work assignments of the GS-7 analyst are made according to an established work flow. The work assignments of the GS-5 analyst, on the other hand, are selected assignments which are designed particularly for training purposes. Unlike the GS-5 analyst, the analyst in this kind of position at the GS-7 level performs his work without close supervision as long as the assignments are similar to proposals he has analyzed earlier, and he is expected, for example, to recognize possible adverse trends or patterns in carrier practices, particularly in the degree of conformance with procedural requirements. The

GS-5 analyst, by contrast, is acquiring the knowledge of the statutory and regulatory authorities upon which such procedural and other requirements are based. Assignments completed by the GS-7 analyst in this kind of situation are reviewed for adequacy of analysis, application of guides, and soundness of recommendations, whereas the GS-5 analyst's completed work is reviewed in detail primarily for his grasp of the subject matter and ability to absorb the training.

TRANSPORTATION INDUSTRY ANALYST, GS-1135-09

Nature of assignments

Work assignments at the GS-9 level typically involve use of the full range of basic analytical and evaluative processes characteristic of this occupation, and full responsibility for making recommendations for action on assigned proposals and problems of the degree of complexity described below. By comparison, the GS-7 level requires the application of analytical and evaluative processes appropriate to assignments characteristic of that level which involve, for example, directly applicable precedents and selected work processes. GS-9 is also the first level at which industry-area knowledges become significant in addition to the knowledges of the regulatory functions, rules, orders, and regulations of the agency.

The following conditions typically characterize work assignments at the GS-9 level:

- The carrier proposals or regulatory matters to be analyzed present issues which are clearly drawn in regard to the nature of competitive practices involved, the organization of the carrier firm, the route patterns to be adopted, and, in the case of proposed carrier agreements, the kind and extent of cooperative arrangements to be carried out;
- There are few protests from industry-area members which result in formal proceedings, although there are frequently objections which the analyst must consider and evaluate;
- The regulatory matter under review requires informal contacts with industry-area representatives but usually does not involve formal administrative proceedings in the agency;
- The potential impact of the proposal or regulatory issue on carriers, shippers, the general public, or the industry-area in general is limited;
- The legal and policy questions involved have a substantial number of directly applicable precedents.

Typical of assignments, under the conditions and controls as described at this level, are the following:

(1) *A comparative study and report on scheduled passenger capacities of carriers over routes in a major international transportation geographic area (e.g., North Atlantic):* On assignments of this type, the GS-9 analyst searches a variety of industry-area and agency sources and selects pertinent data based on specifications established for the study. He evaluates important trends in kinds of traffic, changes in service offered, significant differences in operating policies among carriers, foreign route limitations of domestic carriers, and related questions. He makes an estimate of the probable effect on traffic and operations of such events as coming international fairs, possible political upheavals in the countries served, actual or anticipated work stoppages in gateway areas (i.e., ports of entry or major metropolitan areas).

(2) *Developing background information on allegations that a carrier in a small geographic trade area (e.g., an area which is of local rather than national economic importance) has joined with other carriers in transporting cargo over routes not authorized by the agency:* On assignments of this type the GS-9 analyst reviews the terms of operating agreements, certificates and authorities. If warranted, he recommends a field investigation. He evaluates the investigative findings, determines the nature and extent of alleged violations, and makes initial recommendations for appropriate action.

Level of responsibility

By comparison with the GS-7 level, supervisory control over the GS-9 analyst permits independence of action, within the area of assignments that characterize the level, which involves judgments and recommendations based on use of the full range of analytical and evaluative processes. The GS-7 analyst in a developmental position, on the other hand, works under fairly close supervision initially on identification of proposals, regulatory issues, information sources, and work methods, with diminishing supervisory control as training progresses. The GS-7 analyst who has continuing responsibility for assignments of limited scope and complexity is responsible for independent judgments and analyses over the range of assignments characteristic of that level, and, for example, recognizing trends in carrier practices. Since the overall character of the assignments is relatively stabilized at the GS-9 level in respect to variety, scope and complexity, supervisory control is usually exercised at the request of the analyst rather than as a continuing check or close control on progress of the work.

After an initial discussion of the scope of the assignment and potential problem areas, the analyst GS-9 works independently in collecting information and developing recommendations and other written products for review. The supervisor reviews completed work for conformance with established procedure and policy, soundness of technical judgment, and writing skill. By comparison, the GS-7 analyst in a developmental position carries out assignments of progressively greater difficulty and responsibility with adjustment in supervisory control as the analyst demonstrates competence in the training situation; his completed work is reviewed primarily for potential for undertaking more complex assignments. In further contrast, the GS-7 analyst who has continuing responsibility for analyzing proposals or similar assignments of limited scope and difficulty performs his work without close supervision as long as assignments are on similar kinds of issues or involve similar types of proposals; his completed work is reviewed for adequacy of analysis, application of guides and soundness of recommendations.

The GS-9 analyst meets with industry-area representatives to obtain additional information needed in his analysis and to clarify terms or provisions of individual proposals. This is in contrast to the responsibility of the GS-7 analyst who is expected to observe conferences to learn the procedures involved but is not required to initiate discussions or to actively contribute to the discussions with industry-area representatives.

TRANSPORTATION INDUSTRY ANALYST, GS-1135-11

Nature of assignments

The analyst at the GS-11 level is a fully trained employee with responsibility for independently carrying out complete assignments which cover diversified regulatory issues and proposals, and which require intensive analysis. The GS-9 analyst, on the other hand, is responsible for carrying out assignments which involve, for example, clearly drawn issues, a substantial number of directly applicable precedents, and evaluation of objections to proposals which recur with some frequency.

Employees at the GS-11 level apply both a thorough knowledge of the range of industry-area and regulatory matters within the agency's jurisdiction, and a considerable degree of skill in analyzing, evaluating, and making recommendations on proposals and other regulatory matters in a variety of regulatory programs or activities. The GS-9 level, by comparison, is the first level at which industry-area knowledges become significant in addition to knowledge of the regulatory functions, ruling orders, and regulations of the agency. In further contrast to the GS-9 level, this is the first level at which assignments require individual responsibility for:

- Preparing materials for use in formal proceedings and occasionally participating as a witness;
- Negotiating with other agencies in matters of mutual interest;
- Initiating contacts with industry-area representatives to persuade them to correct conditions without resorting to formal reports of violations, or to obtain further explanations of proposals for agency actions; and
- Making recommendations for prosecution where violations of regulations and laws have been discovered.

The GS-9 analyst, by comparison, develops materials primarily for informal proceedings, and makes informal contacts with industry-area representatives to obtain additional information or to clarify proposals.

Because of the comparative variety and breadth of assignments at this level, the analyst must locate, develop, and interpret numerous and varied types of data, particularly those associated with industry-area operations; economic growth factors affecting the industry-area developments in transportation equipment, facilities and technology; and changes in patterns of competition within the industry-area.

Assignments at the GS-11 level are usually characterized by the following conditions:

- Issues presented in carrier requests or proposals for operating authority, exemptions, agreements, rates, etc., are not clearly drawn. In some cases, the purposes or objectives described in some provisions of the request or proposal seem to be in conflict with the underlying purpose of the basic proposal or request. In other cases, there are unexplained gaps in critical parts of the proposals or requests (e.g., important facts bearing on operating revenues and expenses), which conceal vital information.
- Industry-area representatives, competitors, or others with an interest in the regulatory issue have evidenced opposition to the proposed action (e.g., major carriers protesting a proposal by

another major carrier to initiate service in an area held to be adequately served by the protesting carriers).

-- Proposals or requests from carriers often result in formal proceedings for which the analyst is required to develop appropriate background information, including exhibits dealing with the matters at issue, pertinent analyses, and reports of review of carrier operating conditions and practices.

-- Potential impact of the proposals or requests from carriers may affect a relatively large segment of the industry-area (e.g., particularly in those instances in which the proposals are made by carrier groups or organizations rather than individual carriers).

-- There are frequently legal and policy issues to be identified and resolved, and the analyst must interpret and apply precedents in situations not clearly covered (e.g., regulatory questions which arise because the governing provisions of law are general rather than specific, or because policy statements on questions considered similar to the proposal under review have not been uniformly applied in the past). Decisions made on the GS-11 analyst's recommendations often establish new policy guidelines for future proposals.

Typical of assignments, under the conditions and controls as described at this level, are the following:

(1) *A study of a local carrier's proposal to provide new and additional transportation service in an area of the country which is geographically remote from normal truckline transportation routes, but which is important to the national economy:* On assignments of this type, the GS-11 analyst reviews existing operating authority for the firm's basic operations and subsequent requests from the carrier for extension and modification of routes. He evaluates the reasonableness of the proposals and the prospect of the carrier's ability to perform the proposed service in light of past performance, the carrier's financial soundness, and available technical resources. He recommends formal investigation and hearing for the purpose of determining the public convenience and necessity for the proposed service, with specific attention to geographic points served, traffic markets, suspension or cancellation of certain existing services and consolidation of others, etc. On the basis of the total facts, he determines whether operating authority finally to be granted for a new route system should be more restrictive or less restrictive than previous authority, and makes appropriate recommendation.

(2) *Review of an agreement among large numbers of carriers in international transportation affecting commerce between coastal ports of the United States, ports in adjacent foreign countries, and ports in areas of the Eastern Hemisphere:* On assignments of this type, the GS-11 analyst requests explanation (by correspondence or in personal contacts with principal officers of the carrier group) of the extent to which the members of the carrier organization propose to act as agents for nonmembers in the same area. He explores allegations that encouraging competition by carriers who are not members of the group would destroy the effectiveness of the procedure which permits such agreements, would result in preferential treatment of some carriers over others, or would compromise the legal obligations of the group members to regulate their own operations within the terms of the agreement. He determines the possible existence of violation of the basic regulatory law or applicable antitrust statutes. He recommends formal investigation and

formal hearings to determine the critical facts and obtain a binding decision on the proposed agreement.

Level of responsibility

Analysts at the GS-11 level normally carry out their assignments without specific instructions on methods and objectives, and without particular guidance on the regulatory questions involved. The GS-11 analyst is responsible for carrying out assignments which are not only complex from the standpoint of technical regulatory issues, but also involve significant personal responsibility for contacts with industry-area representative and for participating in formal proceedings.

Contacts with industry-area representatives are usually for the purpose of defining issues, appraising objections, and exploring the alternative administrative and legal courses of action available in the event the carrier or the agency starts formal proceedings.

By comparison with the GS-9 analyst who meets with industry-area representatives primarily for the purpose of obtaining additional information or clarifying provisions of proposals, the GS-11 analyst is concerned primarily with the substantive approaches possible from a legal, administrative and regulatory standpoint, considering the nature and scope of the proposals under review.

The analyst at the GS-11 level seeks supervisory advice on such questions as the general prevalence of a particular competitive practice, or the probability that similar questions might have been resolved in agencies having jurisdiction in other transportation industry-areas. When problems arise in regard to relationships with industry-area representatives, or when there are technical issues that have a potential for developing into an industry-area-wide issue, the analyst discusses the implications with his supervisor and with agency attorneys, economists, investigators, and others.

This is in contrast with the GS-9 analyst who requests supervisory assistance as necessary on assignments which follow a stabilized pattern. The supervisor reviews the GS-11 analyst's completed recommendations, reports, analyses, and orders for soundness of technical judgment and reasoning, and adherence to legal and policy guidelines, features which are similar to those found at the GS-9 level. In addition, at the GS-11 level, because of the range of issues involved and the depth of analysis required, review is also made for thoroughness of analysis and logic of conclusions and recommendations.

TRANSPORTATION INDUSTRY ANALYST, GS-1135-12

Nature of assignments

The GS-12 analyst is responsible for analyzing proposals that involve implications from the standpoint of industry-area-wide competition and the public interest.

The GS-12 analyst is required to deal on a regular, recurring basis with issues, problems, and proposals which demand a thorough understanding of the economic repercussions on the industry-area as a whole, as well as broad knowledge of the legal and policy frameworks of the agency's regulatory functions. Where the GS-11 analyst is concerned with certain aspects of industry-area-wide operations, developments and competitive practices, the pattern of assignments at the GS-12 level is based on those matters which have a potential for far-reaching industry-area application, interest, or concern, or which raise basic questions relating to the extent of economic control in the industry-area. Analyses at this level require a high degree of trained analytical competence in regulatory matters which are broad in their coverage and application, deal with critical areas of industry-area control, and involve controversial regulatory questions.

These circumstances create very difficult problems for the GS-12 analyst in identifying the underlying issues, appraising the implications of alternative actions on the industry-area or substantial segments of the industry-area, and determining the need for consideration of regulatory laws and policies in other sectors of the national economy (for example, those relating to transportation safety, or economic control in the general area of trade, or import-export restrictions).

Although the GS-11 analyst has responsibility for preparing materials for use in formal proceedings and occasionally participating as a witness, the GS-12 level is the first level at which the analyst has important personal responsibility for regularly appearing at formal hearings in the capacity of a witness to offer testimony relating to regulatory issues which characterize assignments at this level, to discuss his analyses and evaluations, and to explain exhibits or background materials.

Assignments at this level are usually characterized by the following conditions:

- The proposals or other regulatory matters under consideration involve issues which are both technically difficult and controversial.
- There are usually complex issues and often vigorous protests from influential representatives of the industry-area which can materially affect the transportation segment of the national economy.
- Many proposals result in formal hearings in which the analyst is responsible for developing appropriate exhibits and background materials, assisting the hearing examiner or other agency counsel, and testifying as witness.
- Potential impact of the proposals or regulatory issues is often serious, since many of the proposals and issues raise questions of industry-area-wide involvement, interest, or application.

- Legal and policy issues are almost always present, and often involve new or unprecedented considerations. Such issues sometimes constitute challenges to the agency's administrative procedures and jurisdiction, or require consideration of current industry practices which are advantageous from the standpoint of encouraging competition, but on which a clear decision as to legality of the practices has not been established.

Typical of assignments, under the conditions and controls as described for this level, are the following:

(1) *A study of major proposals from two key nationwide carriers seeking temporary authority to operate in a geographic area which, because of strategic location, is vital to coast-to-coast service, but because of topography and scattered centers of population poses complex problems in equity of regulatory controls:* On assignments of this type, the GS-12 analyst examines the carriers' requests for exemptions from regulatory requirements pertaining to operating authority based on existence of emergency conditions. He reviews actions taken by the regulatory body previously on similar proposals to determine relevance of those actions to current proposals and requests. He appraises the operating situations of both carriers in the absence of a demonstrated real emergency as defined by law. He evaluates and prepares arguments on the carriers' claims of prior error by the regulatory body in previous rulings and orders; points up existing legal issue of whether petitioners satisfied statutory requirements for exemptions. He highlights the vital policy issues. In light of all the circumstances and data, he recommends action to approve, change, or deny the requests.

(2) *A review of terminal lease agreements between a major port authority and a commodity storage facility organization having important economic influence in a large coastal area of the United States:* On assignments of this type, the GS-12 analyst determines whether the proposed rentals are within legally permissible cost and profit limitations or whether they violate the basic law or regulations defining unfair competition or prejudicial treatment. He evaluates protests, comments and objections from carriers, shippers, other port authorities, storage facilities, and other sources. He meets with representatives of the protesters and petitioners to define the principal issues. He analyzes such elements as revenue and operating expenses, traffic, storage capacities, duration of tenant leases, tonnages in commodities, allocation and valuation of land occupied, extent of use by carriers in other modes of transportation, existence of valid property lines, areas on which easements exist, etc. He estimates rates of return from the investments represented, based on various projected operations. He recommends formal hearing on issues such as whether the level of return of investments must be considered as well as basic determination as to whether rentals involved constitute unfair competition and prejudicial treatment. He personally offers testimony during the hearing on the facts developed in his analysis and evaluation of the proposal. The decision of the regulatory body on the legal and policy issues will establish a precedent for future cases.

Level of responsibility

Both the GS-11 analyst and the GS-12 analyst perform their work without specific guidance on objectives or methods; however, the GS-11 analyst seeks supervisory assistance on technical problems such as, for example, industry competitive practices and almost always on public relations problems. The GS-12 analyst, moreover, carries his assignments to completion, consulting the supervisor in those instances, for example, where policy statements are not clear, where industry-area representatives resist efforts to negotiate, or where there are unusual questions or unprecedented problems having implications beyond the immediate assignment.

Since many of the assignments at the GS-12 level have industry-area-wide impact and effect, the analyst discusses with the supervisor the potential ramifications of the assignment from the standpoint of industry-area involvement, publicity, Congressional interest, and similar factors.

The analyst at the GS-12 level meets with representatives of carriers, shippers, and others in conferences and negotiations for the purpose of narrowing the area of objections or claims of competitive injury, assessing the regulatory issues involved, and forming a basis on which to recommend for or against a formal hearing. By comparison with the analyst at the GS-11 level who is primarily concerned with the substantive approaches possible in considering the proposals, the GS-12 analyst is concerned in his contacts with ascertaining the industry-area-wide implications of the proposals and assessing the possible consequences of eventual recourse to formal hearings or court action.

Review of completed work at this level is similar to that at the GS-11 level. The supervisor reviews completed assignments for thoroughness of analysis and evaluation and, in addition, because many proposals at the GS-12 level have a potential for controversy or industry-area-wide application, for appropriate consideration of the facts, implications, and industry-area impact involved, and for interpretation of applicable policy and legal guidelines.